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ROBERT E. JAROS 1941 - 2002

March 4, 2003

#### VIA ELECTRONIC FILING

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BRETT D. CHARDAVOYNE

KENNETH S. FELLMAN

BOBBY G. RILEY

WADE WARTHEN

Marlene H. Dortch, Secretary Federal Communications Commission 445 Twelfth Street, SW, TW-B204 Washington, D.C. 20554

Re:

Fiber Technologies Networks, Inc. / Petition for Preemption Pursuant to Section 253 of the Communications Act of Discriminatory Ordinance, Fees and Right-of-Way Practices of the Borough of Blawnox, Pennsylvania

DA03-376; WC Docket No. 03-37

Dear Ms. Dortch:

On behalf of the National Association of Telecommunications Officers and Advisors (NATOA), I am hereby submitting NATOA's Petition for Extension of Deadline to File Comments and Reply Comments with respect to WC Docket No. 03-37; In the Matter of Fiber Technologies Networks, Inc. / Petition for Preemption Pursuant to Section 253 of the Communications Act of Discriminatory Ordinance, Fees and Right-of-Way Practices of the Borough of Blawnox, Pennsylvania.

Very truly yours,

KEN FEU MAN JOHN
Kenneth S. Fellman

KSF/eai Enclosure

# Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In the Matter of	)	
FIBER TECHNOLOGIES NETWORKS, INC.	)	DA03-376
Petition for Preemption Pursuant to Section 253	)	WC Docket No. 03-37
Of the Communications Act of Discriminatory	Ś	
Ordinance, Fees and Right-of-Way Practices of the	)	
Borough of Blawnox, Pennsylvania	)	
	)	

## PETITION FOR EXTENSION OF DEADLINE TO FILE COMMENTS AND REPLY COMMENTS

### Submitted by:

Kenneth S. Fellman, Esq. Kissinger & Fellman, P.C. Ptarmigan Place, Suite 900 3773 Cherry Creek N. Drive Denver, Colorado 80209 Phone: 303-320-6100

Attorneys for National Association of Telecommunications Officers and Advisors (NATOA)

Dated: March 4, 2003

The National Association of Telecommunications Officers and Advisors (NATOA) respectfully requests that the Commission extend the pleading cycle that has been established for comments on the Petition for Preemption filed by Fiber Technologies Networks, L.L.C.

Presently, Comments are due March 17, 2003, and Reply Comments are due April 1, 2003.

NATOA requests that the Comment deadline be extended to March 31, 2003 and the Reply Comment deadline be extended to April 15, 2003. NATOA is a professional association comprised of individuals and organizations responsible for or advising those responsible for telecommunications policies and services in local governments throughout the nation. NATOA members have an interest in the issues raised in this proceeding.

- 1. In support of this request, NATOA states that the Petition was filed on January 30, 2003. The Wireline Competition Bureau released a Public Notice establishing the pleading cycle on February 13, 2003. That Public Notice was not listed in the FCC's Daily Digest, nor was this proceeding listed on the website of the Wireline Competition Bureau. NATOA first learned of the existence of this proceeding and the deadline for comments on February 19, 2003.
- 2. A number of the issues raised in this proceeding are of great importance to local governments throughout the nation, including but not limited to those relating to fair and reasonable compensation, an issue upon which the Commission has not previously ruled.
  NATOA needs additional time to prepare its Comments and Reply Comments in this proceeding.
- The undersigned is authorized to represent to the Commission that he has conferred with counsel for Fiber Technologies Networks, L.L.C. (FTN) regarding this request, and that FTN has no objection.

WHEREFORE, NATOA respectfully requests that the deadline for filing Comments in this proceeding be extended to March 31, 2003, and the deadline for Reply Comments be extended to April 15, 2003.

Respectfully submitted this 4th day of March, 2003.

NATIONAL ASSOCIATION OF TELECOMMUNICATIONS OFFICERS AND ADVISORS-(NATOA)

By:

Kenneth S. Fellman, Esq. Kissinger & Fellman, P.C. Ptarmigan Place, Suite 900 3773 Cherry Creek N. Drive Denver, Colorado 80209

Phone: 303-320-6100

### CERTIFICATE OF SERVICE

I hereby certify that on the 4<sup>th</sup> day of March, 2003, I served a copy of the foregoing on the persons listed below by depositing a copy of same in the U.S. Mail, first class postage prepaid addressed as follows:

Charles B. Stockdale, V.P. and Corporate Counsel Robert T. Witthauer, Deputy Corporate Counsel Fiber Technologies Networks, L.L.C. 140 Allens Creek Road Rochester, New York 14618

Frederick A. Polner, Esq. Rothman Gordon Grant Building, 3<sup>rd</sup> Floor 300 Grant Street Pittsburgh, Pennsylvania 15219-2203

John F. Cambest, Esq. Blawnox Borough Solicitor 1001 Ardmore Blvd., Suite 100 Pittsburgh, Pennsylvania 15221-5233